



BUILDING STANDARDS COMMISSION

AGENDA REQUEST

AGENDA OF:	11-6-13	AGENDA REQUEST NO:	III-A
INITIATED BY:	CLARK PESCHEL, CBO <i>CWP</i> BUILDING OFFICIAL	RESPONSIBLE DEPARTMENT:	PERMITS & INSPECTIONS DEPARTMENT
PRESENTED BY:	NICOLE GUEVARA <i>NG</i> CODE ENFORCEMENT ADMINISTRATOR	DIRECTOR:	CLARK PESCHEL, CBO <i>CWP</i> BUILDING OFFICIAL
		ADDITIONAL DIRECTOR (S):	N/A
SUBJECT / PROCEEDING:	COMPLIANCE HEARING FOR 118 SORRENTO ST.		
EXHIBITS:	MAP, HEARING NOTICES, BUILDING STANDARDS COMMISSION FINDINGS ORDER AND EVENT TIMELINE		
CLEARANCES		APPROVAL	
LEGAL:	MEREDITH R. RIEDE, <i>MRR</i> ASSISTANT CITY ATTORNEY	DIRECTOR:	CLARK PESCHEL, CBO <i>CWP</i> BUILDING OFFICIAL
RECOMMENDED ACTION			
Hear an update on the case concerning the property at 118 Sorrento St.			
EXECUTIVE SUMMARY			
<p>The City of Sugar Land Building Official deemed the property at 118 Sorrento St a Dangerous Building due to conditions that meet the definition per the Sugar Land Code of Ordinances Sec. 3-190(a): (5) Dilapidation or decay, or unsafe or unsanitary conditions; (6) Light, air or sanitation facilities that are inadequate to protect the health, safety or general welfare of human beings occupying the premises; (7) Inadequate facilities for egress in case of fire or panic or insufficient stairways, elevators, or fire escapes.</p> <p>City Staff have re-inspected the property and will present the progress of the repairs/cleanup.</p>			
EXHIBITS			

City of Sugar Land - Windows Internet Explorer

http://interactivemaps.sugarlandtx.gov/cityarea/#map/e_-10645429,3454546,-10644426,3455057,102100

City of Sugar Land

Layers Legend Measure

Print Search Locations

Layer Details

City Area Map

Opacity

☐ City Facilities

☐ Parks

☒ Appraisal Parcels

☐ Subdivisions

Aerial

City Area Map - Appraisal Parcels

OBJECTID	51902
QUICKREFID	R15737
PROPNUMBER	8500-01-000-4000-907
SITUS	118 Sorrento ST, Sugar Land, TX 77478
LEGAL	VENETIAN ESTATES SEC 1, LOT 40, ACRES .363

0 100 200ft

3:24 PM 10/4/2013



CITY OF SUGAR LAND
Notice of Building Standards Commission Hearing

9/23/2013

Bonnie Marshall
PO Box 2305
Sugar Land, TX 77487

Case Number: 13-00101289

Property Address: 118 Sorrento / **Parcel Number:** 8500-01-000-4000-907

Legal Description: Venetian Estates Sec 1, Lot 40, Acres .363

Certified Letter#: 7013-0600-0000-2117-5562

Dear Madam:

An inspection of property conducted on 9/18/2013 revealed conditions that constitute a safety hazard for all occupants. The plumbing does not appear to be functioning, and sewage has filled sections of the building. Also, the large amount of debris present inside the home could hinder egress and endanger First Responders in the event of an emergency. Due to the conditions, the City of Sugar Land has deemed the residence at 118 Sorrento St. a Dangerous Building per Chapter. 3, Article XII, Section 3-190 of the City of Sugar Land Code of Ordinances.

To comply with Chapter 3, Article XII, Section 3-190, the property will need to be vacated and either be repaired/cleared or be demolished.

A hearing of the Building Standards Commission has been scheduled for **October 9, 2013 at 5 PM** in the City Council Chambers of Sugar Land City Hall located at 2700 Town Center Blvd N, Sugar Land TX, 77479. During the hearing, you are required to submit written proof of the scope of any work that may be required to comply with this article and the time it will reasonably take to perform the work. The Building Standards Commission will review all information concerning the property and will make a final determination regarding the actions to be taken at the property.

The City of Sugar Land may perform the work required to abate the violation if you, the owner, fail to do so. The City of Sugar Land may also place a lien on the property to recover all costs associated with the work. A copy of this letter has also been posted onsite. Should you have any questions, please call 281-275-2170.

Respectfully,

Clark Peschel, CBO
Building Official

CC: Douglas Schomburg, AICP, Dir. Of Planning & Code Services
Kenneth Shavers, Deputy Building Official
Nicole Guevara, RS, Code Enforcement Administrator

**CITY OF SUGAR LAND
BUILDING AND STANDARDS COMMISSION'S
FINDINGS AND ORDER**

BE IT REMEMBERED THAT ON October 9, 2013, the City of Sugar Land's Building and Standards Commission conducted a public hearing regarding the structure located at 118 Sorrento St.

After considering the evidence presented, the Commission finds that the structure is:

_____ a safe structure.

YES an unsafe/dangerous structure based on the standards set forth in Section 3-190(a) subsection(s)]:

- 1) DON'T KNOW / CAN'T TELL One or more walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third or its base.
- 2) DK / CT Exclusive of the foundation, the structure has 33 percent or more damage or deterioration to the supporting member or members or 50 percent of damage or deterioration to the nonsupporting enclosing or outside walls or coverings.
- 3) NO The structure has an improperly distributed load upon the floor or roof, or an overloaded floor or roof, or a floor or roof with insufficient strength to be reasonably safe for the purpose used.
- 4) YES The structure or any part thereof has been damaged by fire, wind, or other cause to such an extent that it has become dangerous to the public health, safety and welfare of the occupants or the people of the city.
- 5) YES The structure is in a state of dilapidation, decay, unsafe or unsanitary conditions.
- 6) YES The structure does not have adequate light, air ventilation, or sanitation facilities to protect the health, safety or general welfare of human beings occupying the premises.
- 7) YES The structure or any part thereof has inadequate means of egress in case of fire or panic or insufficient stairways, elevators, or fire escapes.
- 8) YES The structure has two or more violations of any provisions of this Code or applicable codes, or a single violation that poses an imminent threat to life or property.
- 9) NO The structure has been left unsecured from unauthorized entry to the extent that it may be entered and utilized by vagrants as a place of harborage or may be entered and utilized by children as a play area.

Having found the structure to be unsafe, the Commission also finds that the structure:

- YES is occupied and poses a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated
- No is unsecured and must be boarded up and/or fenced in such a manner to prevent unauthorized entry by a person, including a child, through missing or unlocked doors or windows or through other openings into the structure
- YES may feasibly be repaired so that it is no longer in violation of the City's Dangerous Structures Ordinance
- NO may not be feasibly repaired in compliance with the City's ordinances

IT IS THEREFORE ORDERED THAT THE OWNER, MORTGAGEE OR LIENHOLDER SHALL:

- ☒ vacate the structure within 30 days.
- ☒ secure the structure from unauthorized entry within 30 days. IF VACATED
- ☐ demolish/remove or repair [circle one] the structure within 30 days.
- ☒ demolish/remove or repair [circle one] the structure within 60 days, in accordance with the schedule below:

Deadline

Task

STRUCTURE IS UNOCCUPIED WHILE
CLEANING IS UNDERWAY.
RESIDENTS MAY NOT INHABIT STRUCTURE
DURING CLEANUP

- ☒ appear before the Commission for a compliance hearing to be held in ~~December~~ NOVEMBER 2013 to demonstrate compliance with this order. IS IN PROGRESS
- ☐ Since the building is being ordered demolished, the Commission recommends that the City disconnect water and electric utilities.

IT IS FURTHER ORDERED BY THE COMMISSION THAT:

In the event that the owner, mortgagee, or lienholder shall fail to comply with this Order in the allotted time, the City may secure the structure and may attach a lien to the property for the expense of same in accordance with City ordinances.

Entered this 9th day of October, 2013.


Chairperson

Attest:


Glenda Gundermann, City Secretary



CITY OF SUGAR LAND
Notice of Building Standards Commission Hearing

10/22/13

Bonnie Marshall
PO Box 2305
Sugar Land, TX 77487

Case Number: 13-00101289
Property Address: 118 Sorrento / Parcel Number: 8500-01-000-4000-907
Legal Description: Venetian Estates Sec 1, Lot 40, Acres .363
Certified Letter#: 7013-0600-0000-2117-7771

Dear Madam:

At a hearing of the Building Standards Commission on October 9, 2013, the Building Standards Commission issued an order requiring the repair and abatement of the structure located at 118 Sorrento, Sugar Land, Texas 77478. As part of the order, the Commission required that a compliance hearing be held regarding the property.

You are hereby notified that a compliance hearing has been scheduled for **November 6, 2013 at 5PM** in the City Council Chambers of Sugar Land City Hall located at 2700 Town Center Blvd N, Sugar Land TX, 77479. At this hearing you are requested to present documentation showing work completed in compliance with the above mentioned order. Documentation may include work orders, invoices, or photographs.

If you fail to show compliance with the order, the City of Sugar Land may perform the work required to bring the property into compliance. The City of Sugar Land may also place a lien on the property to recover all costs associated with the work. A copy of this letter has also been posted onsite. Should you have any questions, please call 281-275-2170.

Respectfully,

A handwritten signature in black ink, appearing to read "Clark Peschel".

Clark Peschel, CBO
Building Official

CC: Douglas Schomburg, AICP, Dir. Of Planning & Code Services
Kenneth Shavers, Deputy Building Official
Nicole Guevara, RS, Code Enforcement Administrator

118 Sorrento St. Timeline

- September 16, 2013 – Sugar Land Fire Department responded to an emergency call at 118 Sorrento Street. Upon arrival, first responders donned breathing equipment before entering the home due to the strong odor. The conditions of the property were reported to Code Enforcement.
- September 16, 2013 – Texas Adult Protective Services and Fort Bend Social Services were contacted and informed of the conditions.
- September 17, 2013 - Adult Protective Services and Fort Bend Social Services attempted to make contact with the occupants of the property at 118 Sorrento but were denied access.
- September 18, 2013 – City of Sugar Land Code Enforcement obtained an inspection warrant to enter the property.
- September 18, 2013 – City of Sugar Land Code Enforcement, Permits and Inspections, and Fire Department staff executed the warrant and conducted an inspection of the property at 118 Sorrento St. Photos were taken of the conditions. The owner of the property, Bonnie Marshall, was informed that the building is not habitable. She was given an application for the Fort Bend Corps, and instructed to begin looking at her options for cleanup.
- September 18, 2013 – City staff contacted Bonnie Marshall's daughter, Joan Marshall, about the conditions at the property.
- September 20, 2013 – City staff contacted Bonnie Marshall to check in with her. She indicated that she had submitted an application to the Fort Bend Corps.
- September 20, 2013 - City staff contacted Joan Marshall to request her email address in order to send the documentation.
- September 23, 2013 – City of Sugar Land Utilities Department staff went to the property to verify that any leaking or damaged plumbing is not located on the City's side.
- September 23, 2013 – A notice informing Bonnie Marshall that a Building Standards Commission hearing had been scheduled was posted on the front door of the property at 118 Sorrento St. A copy of the notice was also sent via certified letter (7013-0600-0000-2117-5562) the same day.
- September 23, 2013 – A copy of the hearing notice and photos from the inspection were emailed to Joan Marshall.
- September 24, 2013 – City staff spoke to Bonnie Marshall about the notice that had been posted at the property. Ms. Marshall was advised to begin putting together a plan for cleanup. She was also advised to begin noting her available resources and possible repair/cleanup timelines.
- October 2, 2013 – City staff contacted Bonnie Marshall to check on her progress. Ms. Marshall had not put together any cleanup plans. She repeatedly asked when the City was going to go clean her house.
- October 7, 2013 – City staff delivered the photo evidence to Adult Protective Services at the Rosenberg office.
- October 7, 2013 – City staff contacted Bonnie Marshall to check on her progress and remind her of the hearing. She was advised to contact APS to discuss assistance options.

- October 8, 2013 – City staff contacted Bonnie Marshall to check on her progress and remind her of the hearing. She indicated the APS visited with her at the property that day.
- October 8, 2013 – City staff verified with APS that a case worker met with Bonnie Marshall.
- October 8, 2013 – City staff contacted Joan Marshall to remind her of the hearing and to see if she had any questions.
- October 9, 2013 – City staff contacted Bonnie Marshall to remind her of the hearing and to see if she had any final questions.
- October 9, 2013 – The Building Standards Commission held a quorum and made a determination concerning the property at 118 Sorrento St.
- October 14, 2013 – City staff contacted Bonnie Marshall to determine when a crew would begin cleanup at the property. Ms. Marshall confirmed that work would begin the following day.
- October 15, 2013 – City staff visited with Bonnie Marshall at 118 Sorrento to remind her of the Building Standards Commission's order to vacate the property during cleanup. A copy of the Findings Order was hand delivered to Bonnie Marshall. A Dangerous Buildings Notice was posted onsite.
- October 16, 2013 – City staff checked on the property. Work was ongoing.
- October 17, 2013 – City staff checked on the property. Work was ongoing. The crew indicated that they should be finished within a few days.
- October 18, 2013 – City staff checked on the property. Work was ongoing.
- October 22, 2013 – City staff visited the property. The crew was in the last phase of cleanup, so staff briefly walked the property with Bonnie Marshall. A Notice for the hearing scheduled for November 6, 2013 was hand delivered to Ms. Marshall during the walk through. The Notice was sent out via certified mail (7013-0600-0000-2117-7771) as well.
- October 25, 2013 – Bonnie Marshall called City Staff to request a re-inspection of the property. She indicated that the plumbing was repaired.
- October 28, 2013 – City staff conducted a re-inspection of the property. Photos were taken of the conditions.
- October 30, 2013 – Bonnie Marshall contacted City staff to ask if we had sent her the notice via certified mail because she received a Postal Service note. Staff informed Ms. Marshall that a copy of the Notice given to her on October 22, 2013 was sent certified as well.
- November 1, 2013 – City staff will conduct an additional re-inspection.